



Mon 9/30/2019 10:09 PM

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Application 29215 of Facility # A 2773 - Davis Street SMART [DSTS]

To Stanley Tom

Cc Antoinette Steiny; John Moore

You forwarded this message on 10/1/2019 8:48 AM.

I have in hand the ten page invitation to comment on this application for approval of their current plan to construct a composting operation on their property at 2615 Davis Street, San Leandro.

I am by no means an expert on all of the issues that has followed this project since 2010 when it was first considered by the City of San Leandro but, as co-litigant with Dr. Antoinette Stein, Ph.D., I have followed this matter for over two and a half years now and have accumulated a lot of information.

Our position in the lawsuit has been that the Alameda County Waste Management Authority failed to consider the details of the project. Four months before taking testimony on its merits in January, 2017, the Executive Director wrote a letter to the California Department known as CalRecycles commending the project. Nobody in her 38 employee staff said anything questioning the project and the composting expert on the staff, Teresa Eade (now retired), finally got information from Europe about the poor quality of compost made from mixed waste processing operations but it was never released to those at the hearings.

The two major errors in Mr. Tom's nine page report are:

1. On page one, line 3, he says that DSTS includes "a single stream recyclable material recovery facility." DSTS has not operated a MRF at DSTS since about 2015 when it closed down its operation in the building north of the transfer station and simply dumped collection trucks here at DSTS and reloaded the materials for sorting and separation elsewhere. WMAC currently collects the recyclables carts from only about 7% of the county's population, a small fraction of the 82% of the customers that the Oakland Scavenger Company had for garbage in 1977 when it sold itself to Waste Management, the national garbage company. Both Oakland and Hayward, WMAC's two largest remaining garbage accounts, now use other contractors (California Waste Solutions in Oakland and Tri-Ced in Hayward) for single stream recyclables hauling and processing. The statement mentioned at the top of this paragraph lacks pertinent details.
2. In his account of the information presented to the City of San Leandro in 2011 (found at the bottom of page 8 and the top of page 9), Mr. Tom fails to report that the project at that time consisted of 54 vessels to do anaerobic digestion of organics materials, not the aerobic composting planned for the open top, in-vessel systems discussed in this proposal. [The 54 vessels plan is best seen at AR 0140 of the trial court's administrative record; the case file is available now at the Court of Appeals at S154804]. In fact, one of the major CEQA violations of this entire project is that the City of San Leandro as lead agency has never done an EIR on the project that is now before the BAAQMD. While WMAC staff discussed doing mixed waste processing in the northeast building (the so-called OMRP) where they now expect to prepare source-separated organics for composting, it wasn't until 2016 when Mr. Tackitt (who had replaced Mr. Isola as project lead) met and talked with Ms. Sally Barros of CSL staff on February 19, 2016 (revealed in a letter from Barros to Tackitt of April 4, 2016 [copy available] wherein she says that "the project [as presented in February] is consistent with previously approved Master Plan CEQA IS/MND, PLN2010-00026." In fact, to this date, the City of San Leandro has never seen either the full blown AD project which WMAC laid out in 2016 for the ACWMA or the project as laid out for the BAAQMD today.

If the BAAQMD believes that WMAC showed the same project to CSL in 2010 as they showed to the ACWMA in 2016 or to you today, then you have been fooled.

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P.S. I make no comments on project emissions or criteria pollutants as I am not qualified to speak on those topics.